

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL DOCKET NO.: 3:05CV1-V**

<b>TARIK JACKSON,</b>	)	
<b>Appellant / Debtor,</b>	)	<b><i>Bankruptcy Case No.: 04-34039</i></b>
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>FEDERAL NATIONAL MORTGAGE</b>	)	
<b>ASSOCIATION, COUNTRYWIDE</b>	)	
<b>HOME LOANS, INC., and</b>	)	
<b>WARREN L. TADLOCK, Trustee,</b>	)	
<b>Appellees.</b>	)	
<hr/>		

**THIS MATTER** is before the Court on its own motion and in response to correspondence dated January 26, 2004 and April 15, 2005, from the U.S. Bankruptcy Court. (Documents #2, #3)

On June 27, 2005, this Court issued an order directing the Debtor to show cause why his appeal should not be dismissed for failure to perfect the appeal. See FED. R. BANKR. P. 8001(a).<sup>1</sup> In the Order, Debtor Jackson was provided through July 11, 2005, to respond in writing.<sup>2</sup> The June 27, 2005 Order expressly stated that failure to respond would result in dismissal of the appeal. Despite the Court's unequivocal warning as to the likelihood of summary dismissal, and similar attempts by the Bankruptcy Court to prompt Debtor Jackson, the Debtor has simply not responded. Therefore, dismissal for failure to

---

<sup>1</sup> Rule 8001(a) provides in pertinent part that:

"An appellant's failure to take any step other than timely filing a notice of appeal does not affect the validity of the appeal, but is ground only for such action as the district court . . . deems appropriate, which may include dismissal of the appeal. . . ."

<sup>2</sup> The Court's Order identified a deadline of July 10, 2005. However, July 10<sup>th</sup> was a Sunday so the response was not actually due until Monday, July 11, 2005.

prosecute this action is proper.

**IT IS, THEREFORE, ORDERED** that this civil action is hereby **DISMISSED**; and

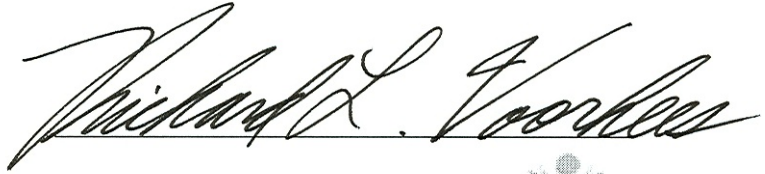
**IT IS FURTHER ORDERED** that the Clerk of Court shall forward a copy of the instant Order to the Appellant / Debtor, Appellee / Trustee, and U.S. Bankruptcy Court.

**Signed: June 16, 2005**

**Signed: July 14, 2005**



Richard L. Voorhees  
United States District Judge



Richard L. Voorhees  
United States District Judge

